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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Laurent DE VOLDER

Serial No.: 10/018,302

Group No.: 2854

Filed: November 8, 2002

Examiner: E. Eickholt

For: PROCESS FOR INKING A PRINTING PLATE WITH THERMOPLASTIC
INKS AND INK TANKS TO BE USED THEREIN

Attorney Docket No.: U 013688-5

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

ATTENTION: THOMAS E. HAWKINS
PARALEGAL SPECALIST
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REPLY TO DECISION ON PETITION

The Decision on Petition of November 28, 2004, refuses to accept as timely the drawings filed August 13, 2003, on the basis of a copy and the postcard receipt for the Amendment with an attachment of the drawings, because the postcard receipt identifies the Amendment and not the drawings. While this reason may have had merit in times past, any such merit ceased July 30, 2003, i.e., before the drawings were filed in this case.

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8a)

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

- ☒ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450

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- ☐ transmitted by facsimile to the Patent and Trademark Office to (703) 872-9306

Signature

Date: December 10, 2004

William R. Evans
(type or print name of person certifying)

Since July 30, 2003, 37 CFR 1.121 (d) has provided:

One or more application drawings shall be amended in the following manner: Any changes to an application drawing must be ... submitted on a replacement sheet of drawings which shall be an attachment to the amendment document and, in the header, labeled "Replacement Sheet."

The Decision on Petition of 2004 finds that the copies previously mailed did not include a certificate of mailing and a statement attesting to the previously timely mailing. This is incorrect.

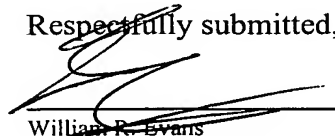
Nevertheless, another copy of the Amendment (with attachment of drawing as required by 37 CFR 1.121) is attached to show the Certificate of Mailing thereto. This is also a statement of attesting to the previously timely mailing, which is hardly in doubt in any event, since the Patent Office received the Amendment just two days later.

The certificate of mailing is on each document submitted, the amendment having a drawing attachment thereto as specifically required by 37 CFR 1.121.

The Decision makes some objection to the Letter Accompanying Amendment After Allowance. Whatever though doubtful merits this objection may have is irrelevant, because the issue is the timely mailing and prompt receipt by the Patent Office of the Amendment with, as required by 37 CFR 1.121, attachment of drawings.

These burdens to the applicant could have been avoided if the Patent Office would simply produce original Amendment of record August 15, 2003, on Patent Application Information Retrieval.

Respectfully submitted,



William R. Evans
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26 West 61st Street
New York, New York 10023
Reg. No. 25858
Tel. No. (212) 708-1930

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Laurent DE VOLDER

Application No.: 10/018,302

Group No.: 2854

Filed: November 8, 2002

Examiner: E. Eickholt

For: PROCESS FOR INKING A PRINTING PLATE WITH THERMOPLASTIC INKS AND INK
TANKS TO BE USED THEREIN

Confirmation No. 4884

Commissioner for Patents
Office of Publications, Query and Correspondence Branch
Crystal Plaza 2 Room-6C30
P. O. Box 1450
Alexandria, VA 22313-1450

LETTER ACCOMPANYING AMENDMENT AFTER ALLOWANCE
(37 C.F.R. Section 1.312)

1. Please make the amendments shown in the attached papers in this application in the

- ☐ abstract.
☐ specification.
☒ drawings.
☐ claims.

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NOTE: "No amendment may be made as a matter of right in an application after the mailing of the notice of allowance." 37 C.F.R. Section 1.312(a).

NOTE: Any increase in fees that may be required by amendments to the claims must be attended to in full in the attached papers or by general authorization to pay fees under 37 C.F.R. Section 16, otherwise, the amendment will not be considered by the Examiner. M.P.E.P. Section 714.16(c), 7th ed.

NOTE: The above address is that recommended in the Notice of November 4, 1986 (1072 O.G. 27-70 at page 35).

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Signature

Date: August 13, 2003William R. Evans

(type or print name of person certifying)

WARNING: Submissions after a Notice of Allowance may subject an application to a reduction in patent term adjustment under 37 C.F.R. 1.704(c)(10). Examples of such submissions are: (1) a request for a refund, (2) a status letter, (3) amendments under 37 C.F.R. 1.312, (4) a late priority claim, (5) a certified copy of a priority document, (6) drawings, (7) letters related to biological deposits, and (8) oaths or declarations. See Notice of May 29, 2001, 1247 OG 111-112, June 26, 2001.

2. Type of amendment:

☒ Correction of formal matters

As shown in the remarks of the attached paper, these (1) are needed for proper disclosure or protection of the invention and (2) require no substantial amount of additional work on the part of the PTO.

NOTE: No showing as to why the amendments to correct formal matters was not earlier presented need be made, unless the issue fee was already paid.

☐ Other (affects the disclosure, the scope of any claim or adds a claim) (M.P.E.P. Section 714.16, 7th Edition):

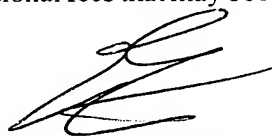
As shown in the remarks in the attached supplemental page(s), there is stated the reason (1) why the amendment is needed, (2) why the proposed amended or new claims require no additional search or examination, (3) why the claims are patentable, and (4) why they were not earlier presented.

3. The issue fee:

- ☐ has not been paid.
☒ is paid separately herewith.

4. Additional fees:

- ☒ Please charge Account 12-0425 for any additional fees that may be required by the filing of this paper.



SIGNATURE OF PRACTITIONER

Reg. No.:

William R. Evans, 25858, (212) 708-1930
(type or print name of practitioner)

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P.O. Address

Customer No.:

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26 West 61st Street
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AMENDMENT AFTER ALLOWANCE

Please amend the above application as follows:

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William R. Evans

(type or print name of person certifying)

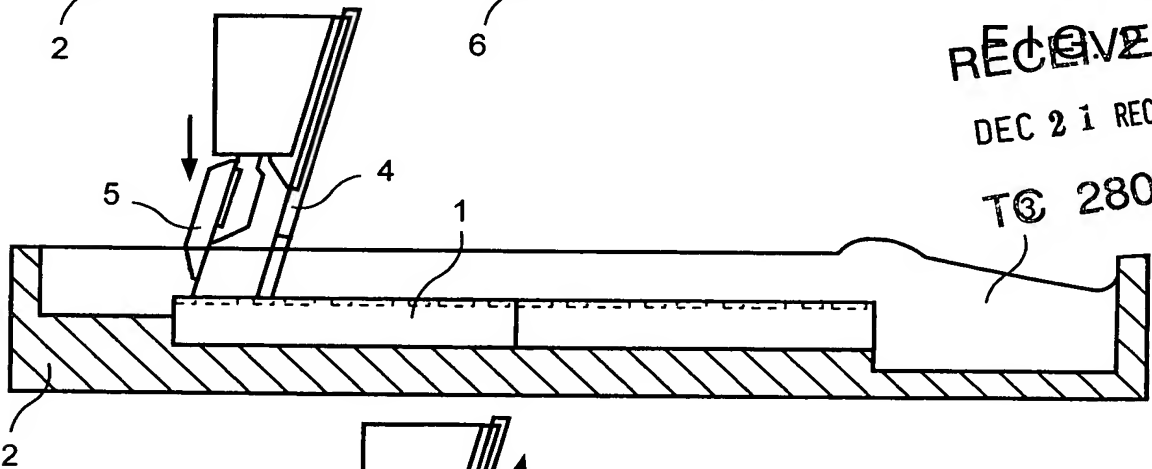
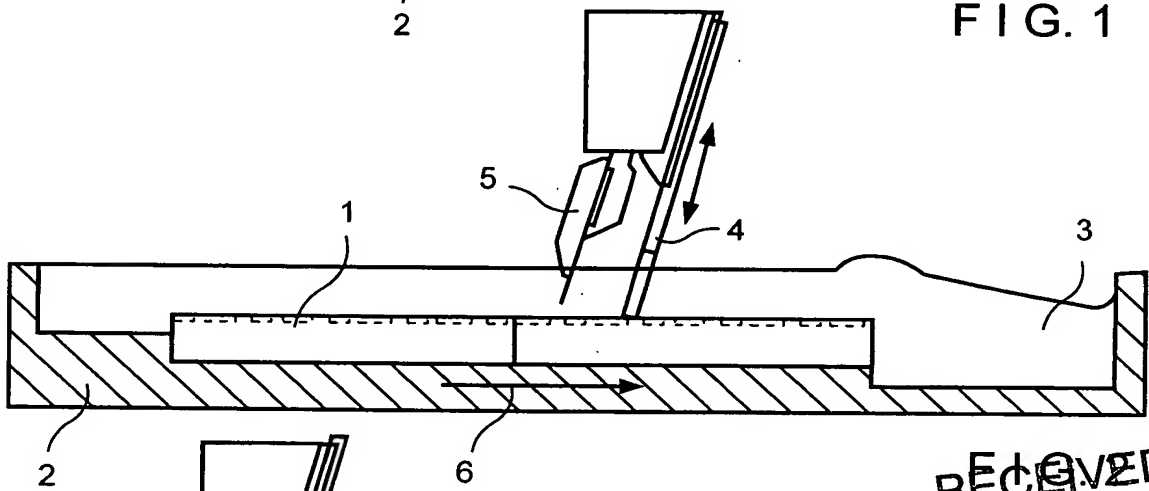
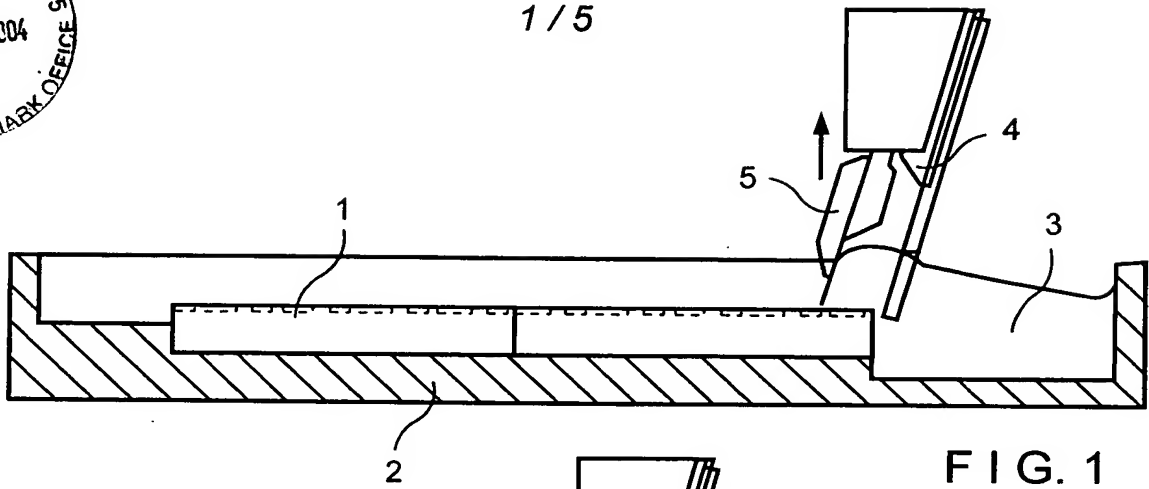
IN THE DRAWINGS

In Figs. 5-11, members 6, 7, 9, 8, 7, 10 and 6, respectively, were originally shaded to indicate heating. On the attached replacement sheets of these Figs. the shading is replaced zig-zag phantom lines that may suggest heating by zig-zag resemblance to electrical resistance but do not introduce such electrical resistance because in phantom lines.

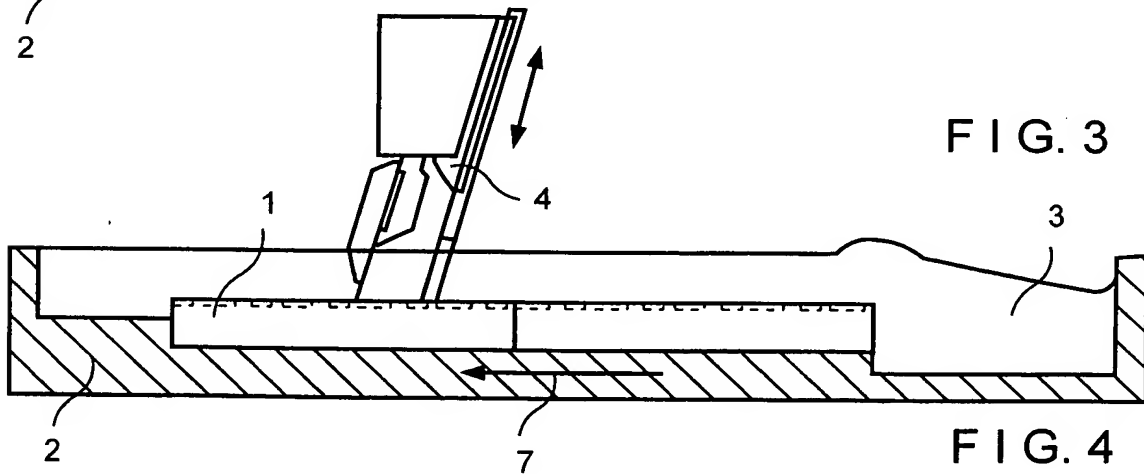
In Figs. 9-11, more familiar liquid-indicating shading is used for ink 14.



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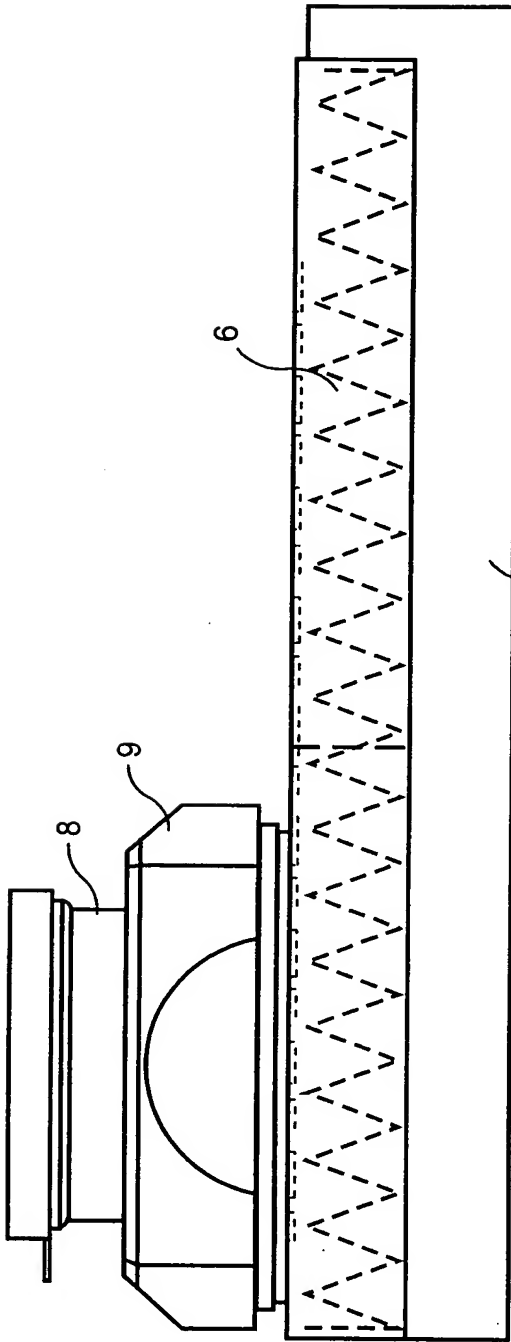


FIG. 5

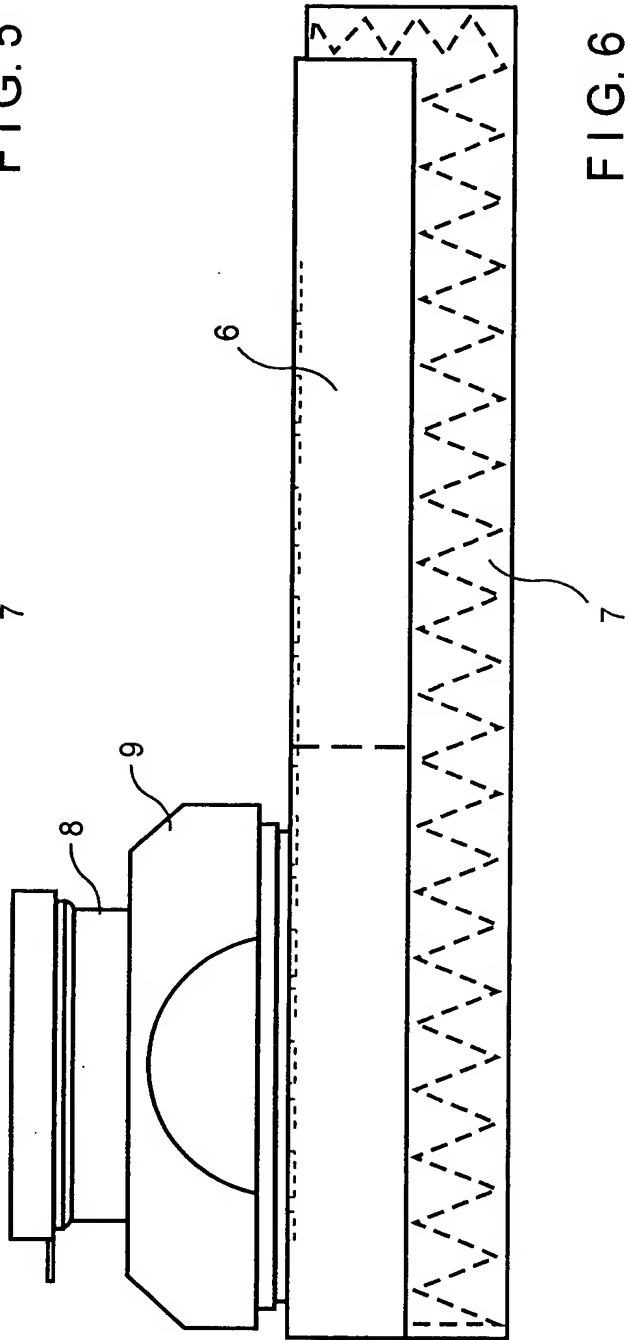


FIG. 6

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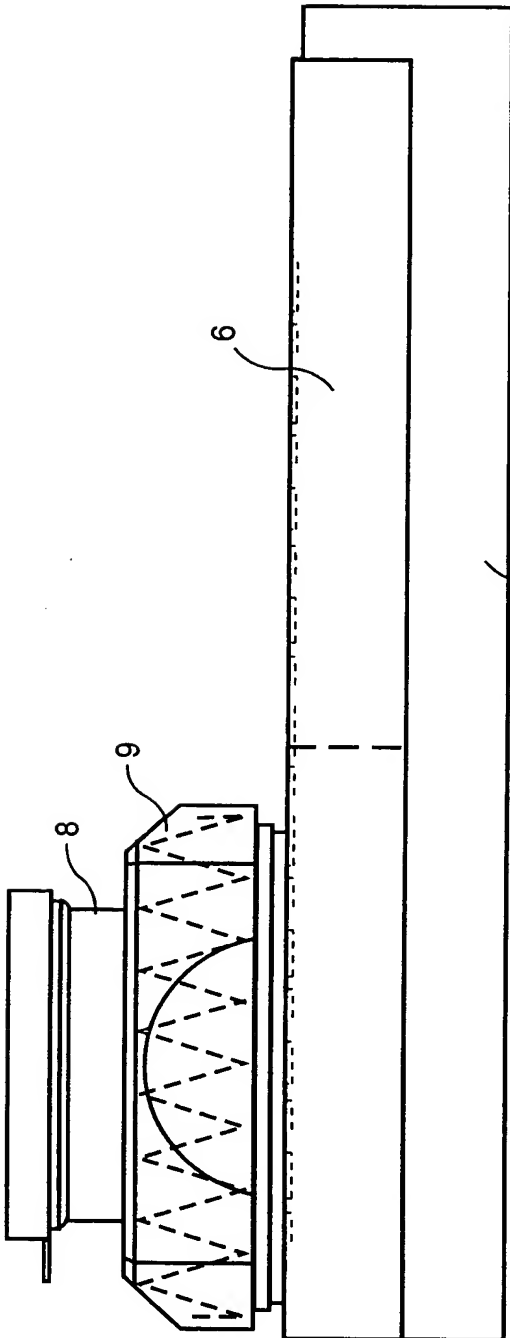


FIG. 7

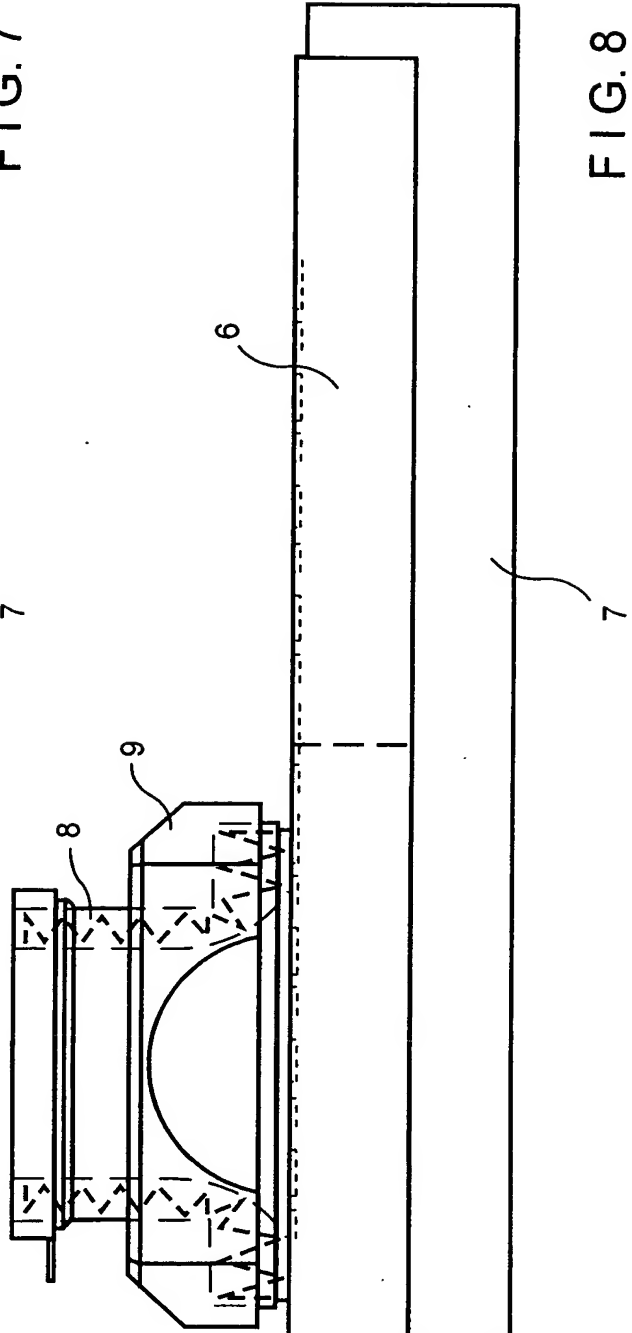
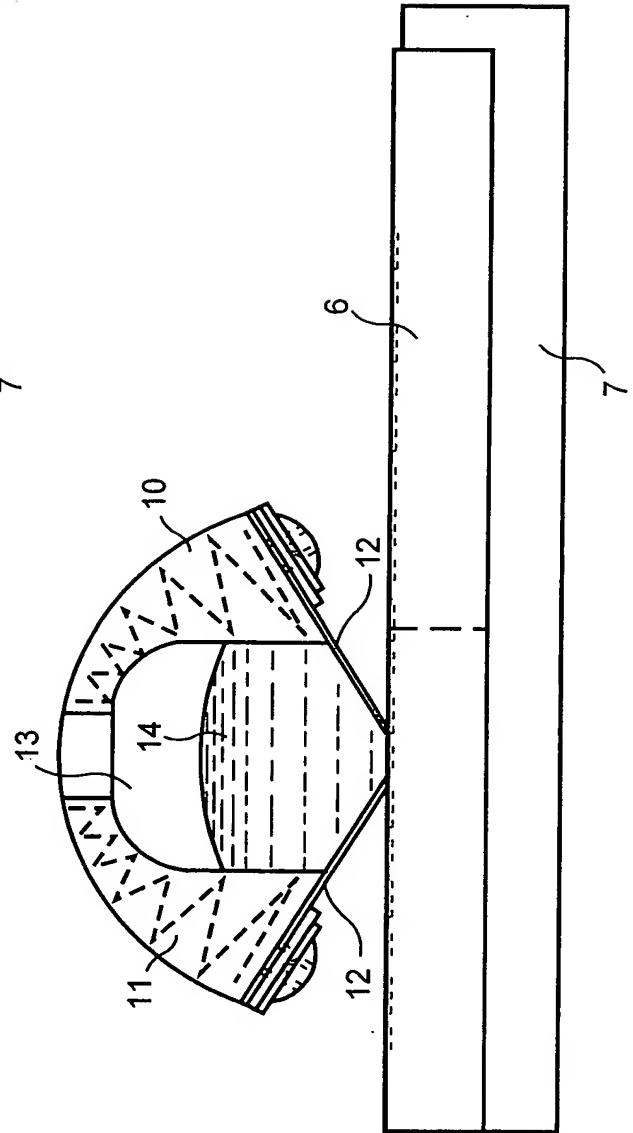


FIG. 8

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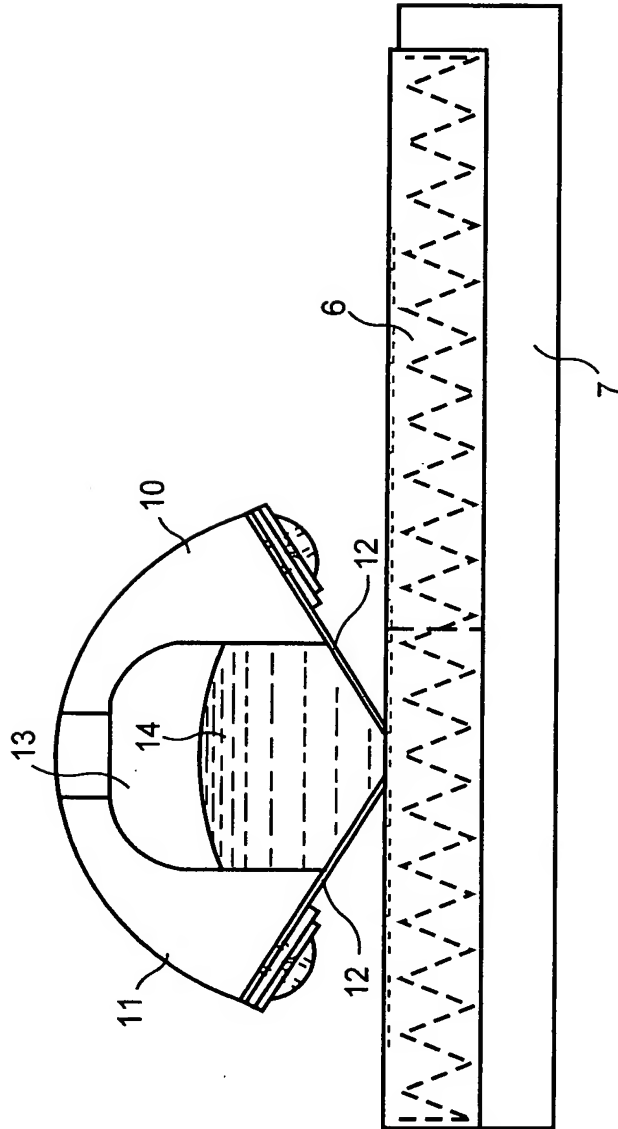


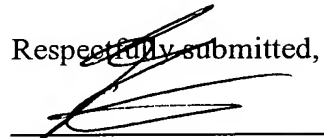
FIG. 11

REMARKS

The changes are needed for proper disclosure and compliance with the Notice of Draftsperson's Patent Drawing Review.

No substantial amount of additional work is required on the part of the PTO, because only drawing shadings are changed.

Respectfully submitted,



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